

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

BRIAN JOHNSON, on behalf of Himself and All Others Similarly Situating,	)	No. 1:07-cv-00599
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
POZEN INC., JOHN R. PLACHETKA, PETER J. WISE, MARSHALL REESE, and WILLIAM L. HODGES,	)	
	)	
Defendants.	)	

**CO-LEAD PLAINTIFF GILBERT RODRIGUEZ’S MOTION TO SUBSTITUTE  
NEW CO-LEAD COUNSEL IN THE PLACE AND STEAD OF DREIER LLP**

PLEASE TAKE NOTICE that, pursuant to the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), 15 U.S.C. § 78u-4, Co-Lead Plaintiff Gilbert Rodriguez hereby moves this Court for an Order approving the selection and substitution of Bernstein Litowitz Berger & Grossmann LLP as Co-Lead Counsel in the place and stead of Dreier LLP, one of the two law firms previously approved to serve as Co-Lead Counsel, but which has since filed for bankruptcy.

This Motion, which is unopposed by the other firm serving as Co-Lead Counsel, is based on this submission, the accompanying Memorandum of Law in Support thereof, the Declaration of Bruce D. Bernstein filed herewith, the complete files and records of the action and each related action, and such other written or oral argument as may appropriately be presented to the Court.

Dated: January 13, 2009

Respectfully submitted,

McDANIEL & ANDERSON, L.L.P.

/s/ L. BRUCE McDANIEL

L. BRUCE McDANIEL (N.C. State Bar #5025)

**McDANIEL & ANDERSON, L.L.P.**

4942 Windy Hill Drive

P.O. BOX 58186

Raleigh, NC 27658

Tel: (919) 872-3000

Fax: (919) 790-9273

[mcdas@mcdas.com](mailto:mcdas@mcdas.com)

[w.anderson@mcdas.com](mailto:w.anderson@mcdas.com)

**Liaison Counsel**

**BERNSTEIN LITOWITZ BERGER**

**& GROSSMANN LLP**

GERALD H. SILK

BRUCE D. BERNSTEIN

1285 Avenue of the Americas

38<sup>th</sup> Floor

New York, NY 10019

Tel: (212) 554-1400

Fax: (212) 554-1444

[jerry@blbglaw.com](mailto:jerry@blbglaw.com)

[bruce@blbglaw.com](mailto:bruce@blbglaw.com)

**Counsel for Co-Lead Plaintiff Gilbert Rodriguez**